

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JEROME K. HAMILTON, a.k.a.)	
CHEIKH AHMED ELOHIM,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-1422 GMS
)	
CATHY L. GUESSFORD, REBECCA)	
MCBRIDE, ROBERT F. SNYDER,)	
THOMAS L. CARROLL, and STANLEY)	
W. TAYLOR, JR.)	
)	
Defendants.)	

ORDER

WHEREAS, on November 5, 2004, Jerome K. Hamilton ("Hamilton") filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983;

WHEREAS, Hamilton's *pro se* complaint contains a demand for a jury trial;

WHEREAS, on August 31, 2006, the court conducted a scheduling conference with the parties, during which Hamilton requested a withdrawal of his jury demand;

WHEREAS, the defendants did not consent to the withdrawal; and

WHEREAS, after having considered the parties' arguments and the Federal Rules of Civil Procedure, the court concludes that it would be improper to allow Hamilton to withdraw his jury demand without the defendants' consent¹;

¹ See Fed. R. Civ. P. 38(d) ("A demand for trial by jury made as herein provided may not be withdrawn without the consent of the parties.")

IT IS HEREBY ORDERED that:

1. The plaintiff's request to withdraw his jury demand is DENIED.

Dated: September 6, 2006

/s/ Gregory M. Sleet
UNITED STATES DISTRICT JUDGE